GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Andhra Pradesh Port Department - Extension of Indian Ports Act, 1908 to the entire Coastline of Andhra Pradesh excluding Visakhapatnam Port Trust Waters, MADA Mangrove Forest lands and Notified Reserve Forests – Notification – Orders - Issued.

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ENERGY, INFRASTRUCTURE & INVESTMENT (PORTS.II) DEPARTMENT

G.O.MS.No. 21 Dated: 29-06-2018.

Read :

Letter No.B1/2400/2017, dated 11-09-2017 from the Director of Ports, AP, Kakinada.

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ORDER:

In the letter read above, the Director of Ports, Andhra Pradesh, Kakinada has stated that Andhra Pradesh is blessed with the 2nd largest coastline in the country which is booming with significant marine activity including oil exploration in the Krishna-Godavari(KG) basin. Government of Andhra Pradesh have conceived a Maritime Concept Master Plan to position Andhra Pradesh as the gateway to South East Asian countries as part of the 'Act East' policy. The State Port Department is facing limitations in regulating & controlling maritime activities in the coastal region and in the waters falling outside Notified Port Limits. As a consequence, significant activity is being undertaken by various agencies such as oil exploration and drilling, under production sharing contract with Government of India, Industrial Effluent discharge pipelines, water drawl pipelines, tourism etc. Such activities without being monitored by a single nodal agency would limit the capacity of the State to position itself as a frontrunner Maritime State.

2. The Director of Ports, AP, Kakinada has informed that if these activities are monitored by the Port Department, it would fetch additional revenue to the State ex-chequer in terms of various charges such as supervision charges which are being collected by the other Port Departments/Maritime Boards in the India for provision of such No Objection Certificates to user agencies for their marine activity. In order to monitor the shore based marine activities, he has requested the Government for (i) Extension of Indian Ports Act, 1908 to the entire Coastline of Andhra Pradesh excluding Visakhapatnam Port Trust, MADA Mangrove Forest lands and Notified Reserve Forests (ii) Conferring powers to the Director of Ports, AP, Kakinada as Coastal Conservator and (iii) Levy of schedule of charges in the coastline of Andhra Pradesh excluding the port limits of Visakhapatnam Port Trust, MADA Mangrove Forest Lands and Notified Reserve Forests.

3. After careful examination of the matter, Government hereby accord approval to the proposal of the Director of Ports, Andhra Pradesh, Kakinada and accordingly, the following Notifications will be published in the Extraordinary issue of the Andhra Pradesh Gazette dated 29.06.2018.

4. In any case of conflict or contravention with the orders/regulations/rules issued by the Government earlier in the Maritime sector, these orders shall prevail over the existing instructions/regulations/rules issued in the Maritime sector.

5. The Director of Ports, Andhra Pradesh, Kakinada is requested to take necessary action in the matter.

## NOTIFICATION - I

In exercise of the powers conferred by Section 4 of the Indian Ports Act, 1908 (Central Act No.15 of 1908) the Governor of Andhra Pradesh hereby extends the provisions of the said Act, to include areas outside Port Limits i.e.:

(a) fifty yards from the high-water-mark along the coast of Andhra Pradesh including territorial waters upto 12 Nautical Miles, excluding port limits of Visakhapatnam Port Trust, MADA Mangrove Forest Lands and Notified Reserve Forests; and,

(b) fifty yards from high-water-mark of all estuaries, creeks and river mouths upto the point of spring tidal waters excluding MADA Mangrove Forest Lands and Notified Reserve Forests.

## NOTIFICATION - II

In exercise of the powers conferred by Section 7 of the Indian Ports Act, 1908 (Act No.15 of 1908), the Governor of Andhra Pradesh hereby appoints the Director of Ports, AP, kakinada as the Coastal Conservator for the entire Coastline of Andhra Pradesh including Estuaries, Creeks and River Mouths upto the point of High Spring tide and excluding port limits of Visakhapatnam Port Trust, MADA Mangrove Forest lands and Notified Reserve Forests.

The Director of Ports, AP, kakinada shall exercise conservancy rights over the above cited area, exercise powers to regulate all shore-based marine activity and advise the Government on all maritime related matters duly adhering to all the existing Environmental and Coastal Regulatory Zone(CRZ) laws and statutes.

The Director of Ports, Kakinada shall also exercise conservancy powers for Ports where conservancy powers have been delegated to Private Developers / Concessionaires only limited to protection of sovereign rights and interests of the Government.

## NOTIFICATION - III

In exercise of the powers conferred by Sections 35 and 36 of the Indian Ports Act, 1908 (Central Act No.15 of 1908), read with Section 4 and 5 of the Andhra Pradesh Minor Ports Landing and Shipping Fees Act, 1885 (Act No.3 of 1885) the Government hereby direct the following charges as specified in the schedule shall be levied in the coastline of Andhra Pradesh excluding the port limits of Visakhapatnam Port Trust, MADA Mangrove Forest Lands and Notified Reserve Forests. These charges shall be applicable for both the existing and new facilities which are located in the areas notified in the Notification - I.

## SCHEDULE OF CHARGES

### I. Pipeline Charges

**1. Category-1**: If the pipeline passes within the port limits and lands at the Andhra Pradesh shore, the following charges shall be levied:

| Cargo<br>(1) | Facility Compensation Charge<br>(2) |
|---|---|
| Crude | Rs.6 per MT |
| POL/LPG/Liquid Chemicals | Rs.16 per MT |
| Natural Gas | Rs.0.05 per Std. Cubic Meter. |

**Procedure:**

i. Applications shall be filed on Mee Seva Website only.

ii. Fee payment gateway shall be provided for payment of fees as per certification of applicant.
iii. Post receipt of payment, department shall verify the volume/weight transported from the pipe with the data collected from landfall points by Directorate General of Hydrocarbons or any other official records.
iv. Differential payment, if any, shall be collected.

**2. Category-2** : If the pipeline passes through territorial waters of Andhra Pradesh, the following, charges shall be applicable:

| Sl No (1) | Charge (2) | Value / Description (3) |
|---|---|---|
| (1) | Royalty Charge [1] | Rs. 7 lakhs/running km/annum |
| (2) | Way Leave Charges | (i) Land Side - Area occupied x Open plot rent [2]<br>(ii) Sea Side - Area occupied x 60% of open plot rent |
| (3) | Water Pipeline/ Effluent Discharge Pipelines | Only Way Leave charges mentioned in Sl.No.(2) shall be applicable |

**Procedure :**

(i) Applications shall be filed on Mee Seva Website only.

(ii) Fee payment gateway shall be provided for payment of fees as per certified drawings submitted by the applicant.

(iii) Post receipt of payment, department shall verify the information with the approved drawings of Director General of Hydrocarbons/Andhra Pradesh Pollution Control Board or any other official records.

(iv) Differential payment, if any, shall be collected.

**3.** Pipeline charges shall not be applicable for the pipeline of SBM/SPM on where wharfage charges are leviable.

**4.** Other Charges for both Category 1 & 2

| Charging head (2) | Unit (3) | Basis of charges (4) |
|---|---|---|
| Project Approval Charges | Rs. | Flat Rs 1 Cr |

**Procedure:**

(i) Applications on Mee Seva Website only.

(ii) Fee payment gateway shall be provided for payment of fees as per certification of the applicant.

**II. Charges for drawl of sea water**

The charges for the drawl of sea water for industries and power projects shall be levied as per the following table:

| Description | Unit | Value |
|---|---|---|
| Water Drawl Charges | Rs. per cu.m | 0.05 |

Terms and Conditions for drawl of sea water shall be as per Government Memo [3].

**Procedure:**

(i) The user shall assess the actual water drawn and pay for the same on Mee Seva Website.

(ii) Fee payment gateway shall be provided for payment of fees as per certification of applicant.

(iii) Flow meters installed by the respective units shall be integrated with the department website online within six months.

**III. Pilot License fee**

All Pilots operating in the ports of Andhra Pradesh shall obtain Pilot License and the following charges as per the table shall be levied:

| Sl No (1) | Pilot License Fee (2) | Unit (3) | Value (4) |
|---|---|---|---|
| 1 | Per Month | Rs. | 5,000 |
| 2 | Per Annum | Rs. | 50,000 |

**Procedure:**

(i) Applications on Mee Seva Website only.

(ii) Fee payment gateway shall be provided for payment of fees.

**IV. Lighterage Charges:** Separate Orders will be issued in this regard.

**V. Fisheries Projects:**

| Sl No (1) | Particular (2) | Value (3) |
|---|---|---|
| 1 | Projects developed by the Department of Fisheries, Government of Andhra Pradesh | Free of Cost |
| 2 | Projects developed by any developer on behalf of Government of Andhra Pradesh | Free of cost |
| 3 | Projects developed by any private developer | Rs 1 Lakh |

**Procedure:**

(i) Applications shall be filed with Project Location on Mee Seva Website only and provisional No Objection Certificate is automatically generated.

(ii) Fee payment gateway shall be provided for payment of fees as per certification of applicant.

(iii) Department of Ports shall communicate objections on Project Location within seven (7) working days, or else, No Objection Certificate is deemed to be issued.

**VI. Tourism Projects**

| Sl No (1) | Particular (2) | Value (3) |
|---|---|---|
| 1 | Projects developed by any developer on behalf of Government of Andhra Pradesh | Rs.1.00 lakh for each 100 meters of waterfront used |
| 2 | Land Rent for Sea Accredited land/ Unsurvey land | Rs.1.00 Lakh/Acre/Annum |

**Procedure:**

(i) Applications shall be filed with Project Location on Mee Seva Website only and provisional No Objection Certificate is automatically generated immediately on payment of charges.

(ii) Fee payment gateway shall be provided for payment of fees as per certification of applicant.

(iii) Department of Ports shall communicate objections on Project Location within seven (7) working days, or else, No Objection Certificate is deemed to be issued.

**VII. Other Charges in territorial waters**

**A. Survey in territorial waters.**

| Sl No (1) | Category (2) | Description (3) | Unit (4) | Value (5) |
|---|---|---|---|---|
| 1 | Academic Survey | NOC for Government agencies | - | Free of Cost |
| 2 | Commercial Survey | NOC shall be issued as per the following: | | |
| | | Per Day | Rs. | 500 |
| | | Per Month | Rs. | 7,500 |
| | | Per Year | Rs. | 50,000 |

**Procedure:**

(i) Applications shall be filed on Mee Seva Website only.

(ii) Fee payment gateway shall be provided for payment of fees as per certification of the applicant.

(iii) On payment of charges the approval is deemed to be given.

**B. Off shore charges:**

1. All Offshore Support Vessels (OSV) operating from ports under the administrative control of Government of Andhra Pradesh shall obtain permission from the Directorate of Ports. Upon payment of charges permission is deemed to be approved.

The following charges are applicable in the territorial waters of Andhra Pradesh

| Sl No (1) | Type (2) | Unit (3) | Value (4) |
|---|---|---|---|
| | Offshore Support Vessels (OSV) | | |
| 1. | Below 500 GRT<br>500 to 2000 GRT<br>Above 2000 GRT | Rs. Per Year<br>Rs. Per Year<br>Rs. Per Year | 25,000<br>50,000<br>1,00,000 |
| 2 | Mobile Rigs | Rs. Per Day | 1,500 |
| | | Rs. Per Month | 30,000 |
| | | Rs. Per Year | 2.5 Lakhs |
| 3 | Fixed Platforms | Rs. Per Year | 50,000 |
| 4 | Control Riser Platform/ Control Stations | Rs. Per Year | 5 Lakhs |
| 5 | FPSO/Floating Storage Re-gasificaiton Unit | Rs. Per Year | 10 Lakhs |
| 6 | Project Installation and Approval Charges for Sl No. 3 to 5 | Rs.One Time | 1 Crore |

**Procedure:**

(i) Applications shall be filed on Mee Seva Website only and provisional NOC is automatically generated immediately.

(ii) Fee payment gateway shall be provided for payment of fees as per certification of applicant.

NOTE :

[1] Royalty Charges will be levied only on Cargo Carrying Pipelines
[2] As per standard rates applicable in Kakinada Anchorage Port
[3] Government Memo No 732-A/Ports. I (1)/2009-1 dated 13-08-2009 regarding permission for drawl of sea water for Power Project/ Industries issued by Infrastructure & Investment (Ports-I) Department, GoAP

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Government Printing Press, Vijayawada.
(He is requested to furnish twenty five (25) copies to the Govt.)

The Director of Ports, AP, Kakinada
PS to Prl.Secretary to C.M., Govt of A.P.
OSD to Chief Secretary, GoAP.
PS to Prl.Secretary to Govt, E, I&I Dept.
Law (H) Department
Sf/Sc.

// FORWARDED::BY ORDER //

SECTION OFFICER